IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 12225 of 2007(E)

PETITIONER:

S.KRISHNAN CHETTIYAR,
S/O LATE S.LAKSHMANAN CHETTIYAR,
"ASWATHY", HEMAMBIKA NAGAR, PALAKKAD.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL
SRI.BINOY VASUDEVAN

RESPONDENTS:

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1. CUSTODIAN OF VESTED FORESTS,
OLAVAKKODE, PALAKKAD.

2. THE CONSERVATOR OF FORESTS,
OLAVAKKODE CIRCLE, ARANYA BHAVAN,
OLAVAKKODE PALAKKAD.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.12225 OF 2007

DATED THIS THE 10th DAY OF APRIL, 2007

JUDGMENT

The petitioner seeks restoration of possession of the properties belonging to him which has been exempted from the purview of Kerala Private Forests (Vesting & Assignment) Act by orders of the Forest Tribunal. The petitioner submits that although Ext.P7 judgment was passed by the Forest Tribunal as early as on 24.2.1982 directing restoration of the possession of the properties of the petitioner, the same has not been complied with even now although the order has become final. However, for the present the petitioner would be satisfied with a direction to the 2nd respondent to consider and pass orders on Ext.P8 representation in the light of Ext.P9 judgment.

2. After hearing the learned counsel for the petitioner as also the learned Government pleader, I direct the 2nd respondent to consider and pass orders on Ext.P8 in accordance with law as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner. The petitioner would be free to produce

Ext.P9 judgment or any other materials in support of his claim before the 2nd respondent, who shall consider the same also before passing final orders.

S. SIRI JAGAN, JUDGE

Acd